

REMARKS

The Official Action mailed July 28, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for Two Month Extension of Time*, which extends the shortened statutory period for response to December 28, 2003. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on June 25, 1999, June 15, 2001, December 18, 2001, and May 12, 2003.

Claims 1-3 and 6-21 are pending in the present. Claims 10, 11 and 15-18 have been canceled. Accordingly, claims 1-3, 6-9, 12-14 and 19-21 are now pending in the present application, of which claims 1, 6, 9 and 19 are independent. The Applicants note with appreciation the allowance of claims 6-8, 12-14, 10 and 21.

Paragraph 2 of the Official Action rejects claim 19 as anticipated by U.S. Patent No. 5,550,066 to Tang et al. As noted in the *Amendment and Request for Interference Under 37 CFR 1.607*, claim 19 of the present application is identical to claim 6 of U.S. Patent No. 6,147,451 to Shibata et al. The Applicants respectfully submit that a rejection of claim 19 under § 102 is not proper over claim 19, since claim 19 is identical to claim 6 of the Shibata patent. Shibata is presumptively valid; therefore, claim 19 is presumptively valid.

Furthermore, in the present case, claim 19 has been allegedly rejected in view of Tang, which is cited on the face of the Shibata patent. Therefore, it appears that the alleged ground of rejection of claim 19 would also apply to claim 6 of the Shibata patent. As noted in MPEP § 2307.02, "If the ground of rejection is also applicable to the corresponding claims in the patent, any letter including the rejection must have the approval of the TC Director." It does not appear that the present rejection includes the approval of the TC Director. Reconsideration of the rejection under § 102 is requested.

Paragraph 4 of the Official Action rejects claims 1 and 3 as obvious based on the combination of the Applicants' allegedly admitted prior art and U.S. Patent No.

4,511,756 to Moeller et al. Paragraph 5 of the Official Action rejects claim 2 as obvious based on the combination of the Applicants' allegedly admitted prior art, Moeller and Tang.

As previously stressed, claim 1 of the present application is directed to an organic electroluminescence display device and recites the use of a barrier metal comprising titanium (or titanium nitride) interposed between an electrode comprising aluminum and one of source and drain regions. The Official Action asserts that the alleged admitted prior art lacks only the teaching of a barrier metal of titanium and asserts that Moeller teaches a barrier metal comprising titanium. The Official Action further asserts that it would have been obvious to combine the teachings of the alleged admitted prior art and Moeller because they are in the same field of endeavor and that one of skill in the art would have been motivated to do so to prevent diffusion of aluminum into the silicon source or drain region and to thereby obtain the invention of claims 1 and 3.

Applicants respectfully disagree. Moeller is directed to amorphous silicon solar cells and a method of producing the same, while the present invention is directed toward an electroluminescence (EL) display device and in particular those using an organic EL material. It is respectfully submitted that the alleged admitted prior art and Moeller are not within the same field of endeavor since solar cells and display devices are significantly different devices. Furthermore, one of skill in the art would not be motivated to combine the teachings of Moeller and the alleged admitted prior art absent some desirability to doing so (see MPEP § 2143.01 Suggestion or Motivation To Modify the References, section entitled "THE PRIOR ART MUST SUGGEST THE DESIRABILITY OF THE CLAIMED INVENTION"). It is respectfully submitted that one of ordinary skill in the art would not have been motivated to combine these reference teachings from disparate fields since there is not disclosure or suggestion of the problem identified in the present application and thus no reason why one should combine the references as asserted in the Official Action.

Furthermore, Moeller teaches a barrier metal layer formed under a semiconductor layer, while the claimed barrier metal layer is formed between a semiconductor layer (source or drain) and a transparent electrode. Therefore, the structure of Moeller is significantly different from that of the present invention and, even if combined, one of ordinary skill would not achieve the present invention.

In view of the above, favorable reconsideration is requested.

Paragraph 6 of the Official Action rejects claim 9 as obvious based on the combination of Tang, the Applicants' allegedly admitted prior art, and Moeller.

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Tang, the Applicants' allegedly admitted prior art, and Moeller do not teach or suggest a peripheral driving circuit.

It is respectfully submitted that Tang fails to disclose a "peripheral driving circuit" as recited in claim 9. The Official Action contends that the TFT 1 of Tang (Fig. 2) corresponds to the claimed peripheral driving circuit device since "it is on a peripheral of the TFT2 and EL PAD and supplies driving power to the TFT2." It is respectfully submitted that such construction of the term "peripheral driving circuit" is inappropriate and incorrect. The peripheral drive circuit of the present invention is clearly depicted in Fig. 4 of the present invention. The peripheral driving circuit as shown and described in the present application clearly fails to correspond to the TFT1 as asserted in the Official Action and therefore it is respectfully submitted that claim 9 cannot be anticipated or rendered obvious by Tang.

The Applicants' allegedly admitted prior art, and Moeller do not cure the deficiencies in Tang. The Applicants' allegedly admitted prior art are relied upon to teach features that do not relate to peripheral driving circuits (pages 5-6, Paper No. 29). Tang, the Applicants' allegedly admitted prior art, and Moeller, either alone or in combination, do not teach or suggest a peripheral driving circuit.

Since Tang, the Applicants' allegedly admitted prior art, and Moeller do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be

maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Paragraph 7 of the Official Action rejects claims 10, 11 and 15-18 as obvious based on the combination of Tang and U.S. Patent No. 5,828,429 to Takemura. Claims 10, 11 and 15-18 have been canceled; therefore, the rejection is now moot.

Paragraph 8 of the Official Action acknowledges that "[c]laim 19 of this application has been copied by the applicant from U.S. Patent 6,147,451" (page 10, Paper No. 29). The Official Action asserts that "[t]his claim is not patentable because claim 19 is properly rejected under [§ 102] as being unpatentable over Tang." For the reasons noted above, the Applicants disagree. The Applicants respectfully submit that claim 19 should be indicated as allowable and an interference should be declared by the Examiner.

Paragraph 9 of the Official Action asserts that claims 10 and 11 are not directed to the same invention as that of U.S. Patent No. 6,147,451 to Shibata et al. because claims 10 and 11 do not contain the limitations of a pixel array composed of an organic electroluminescent device or an island of a polycrystalline silicon formed thereon in a predetermined pattern. The Applicants respectfully disagree.

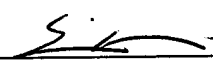
Claim 10 does not explicitly recite a "pixel" or a "pixel array," however, it is clear that a pixel is implicitly recited in claim 10 because it recites at least one X-direction signal line and at least one Y-direction signal line, a thin film transistor and a transparent electrode. Also, although claim 10 does not recite "array," it is obvious to one of ordinary skill in the art that the claimed display device has a pixel array. Also, although claim 10 does not recite "island," it recites an "active layer comprising crystalline silicon." It is obvious that an active layer of a thin film transistor is patterned in an island form. Further, while the term "crystalline silicon" may include both single crystalline silicon and polycrystalline silicon, the preferred embodiment of the present invention utilizes polysilicon (see page 8, last paragraph). For these reasons, it is respectfully submitted

that claims 10 and 11 are directed to the same invention as that of the Shibata patent and reconsideration is requested.

Paragraph 10 rejects claim 19 under 35 U.S.C. 135(b). For the same reasons and as previously stressed, claim 19 is believed to be directed to substantially the same invention as recited in claims 10 and 11 and thus the requirements of 35 U.S.C. 135(b) are believed to be met (see Amendment and Request for Interference Under 37 CFR 1.607). Reconsideration and clarification of the basis of the rejection is requested in light of the above remarks and those contained in Applicants' previous response.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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